

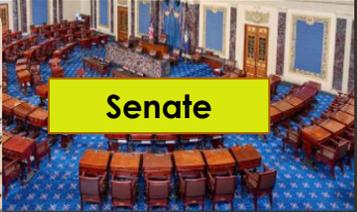
The Constitutionality of Partisan Gerrymandering

IDAHO YOUNG LAWYERS

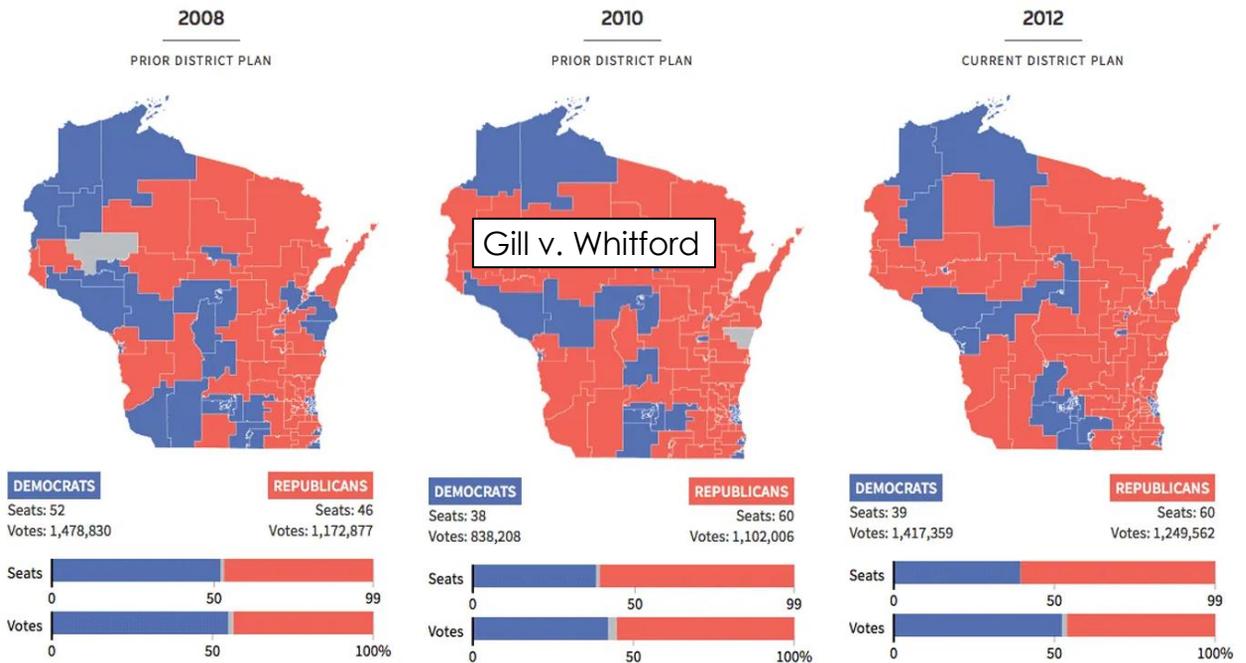


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Anti-Democratic Institutions



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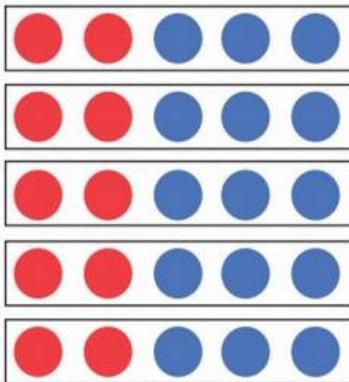


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Common methods of gerrymandering

Cracking

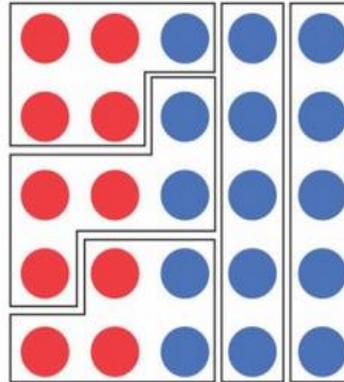
One party's votes have been split into many districts, losing each by a narrow margin.



5 blue districts
0 red districts

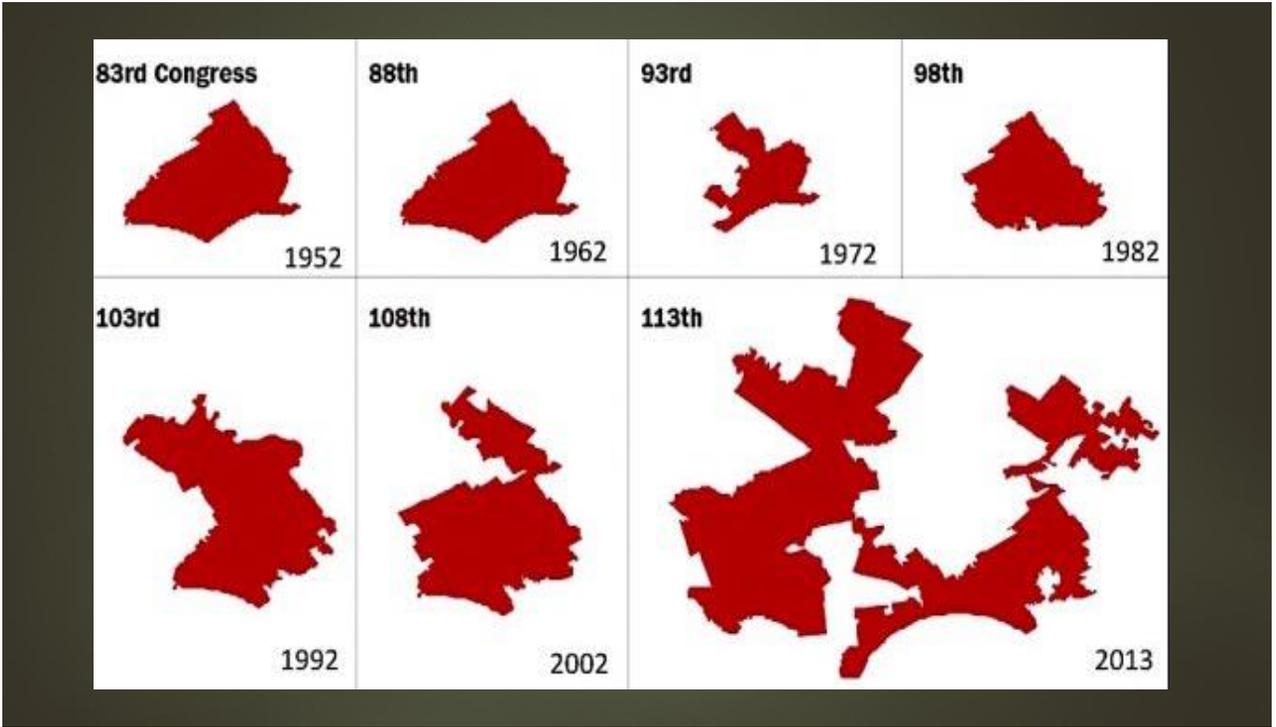
Packing

One party's votes have been concentrated in a few districts, creating a surplus of votes.

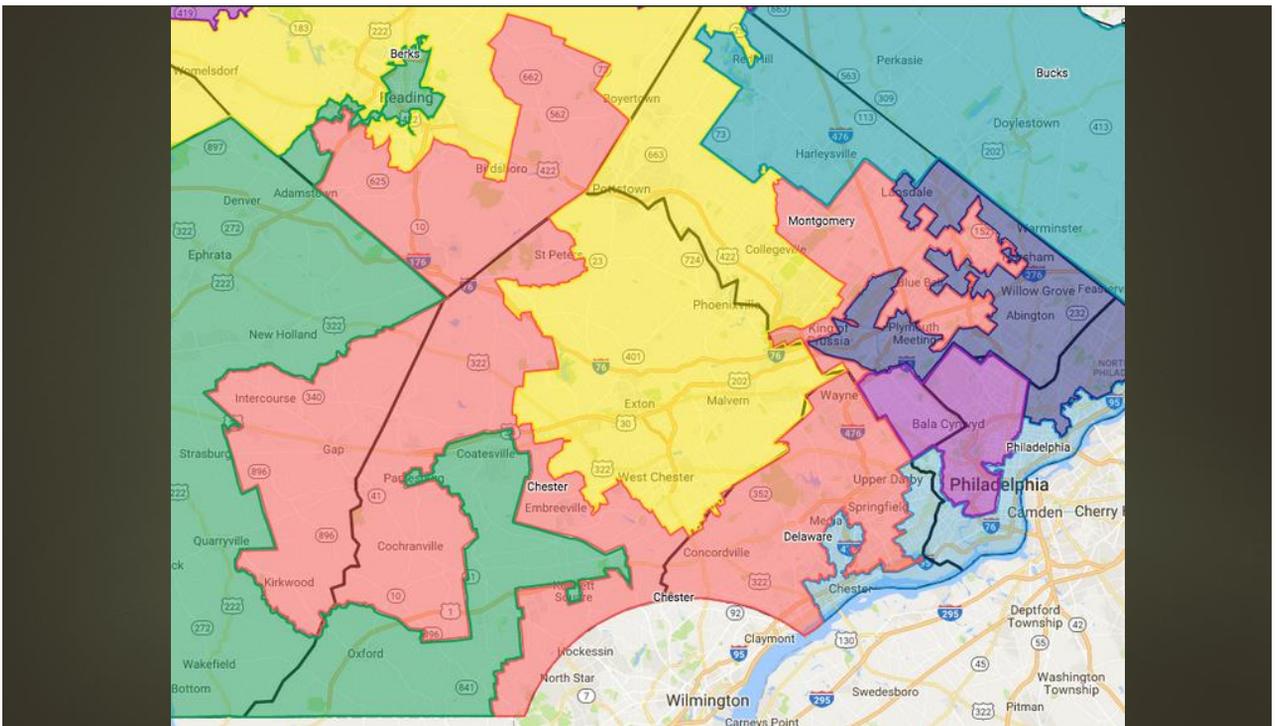


2 blue districts
3 red districts

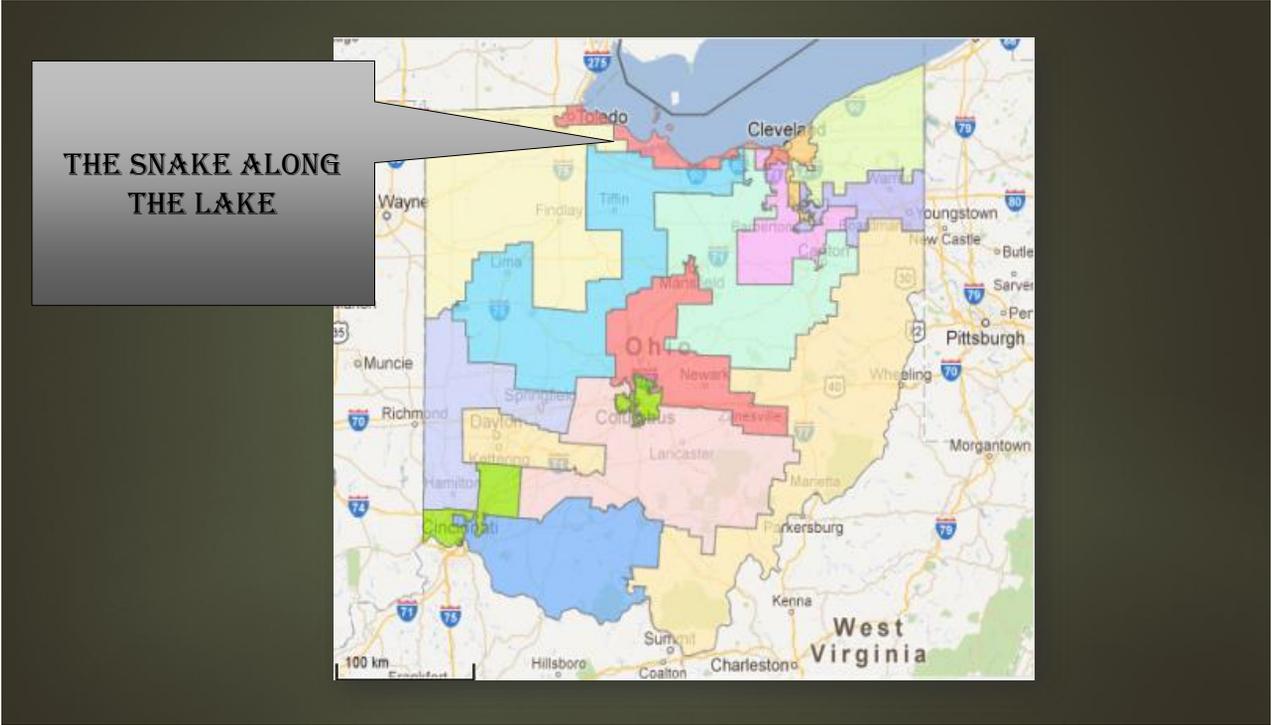
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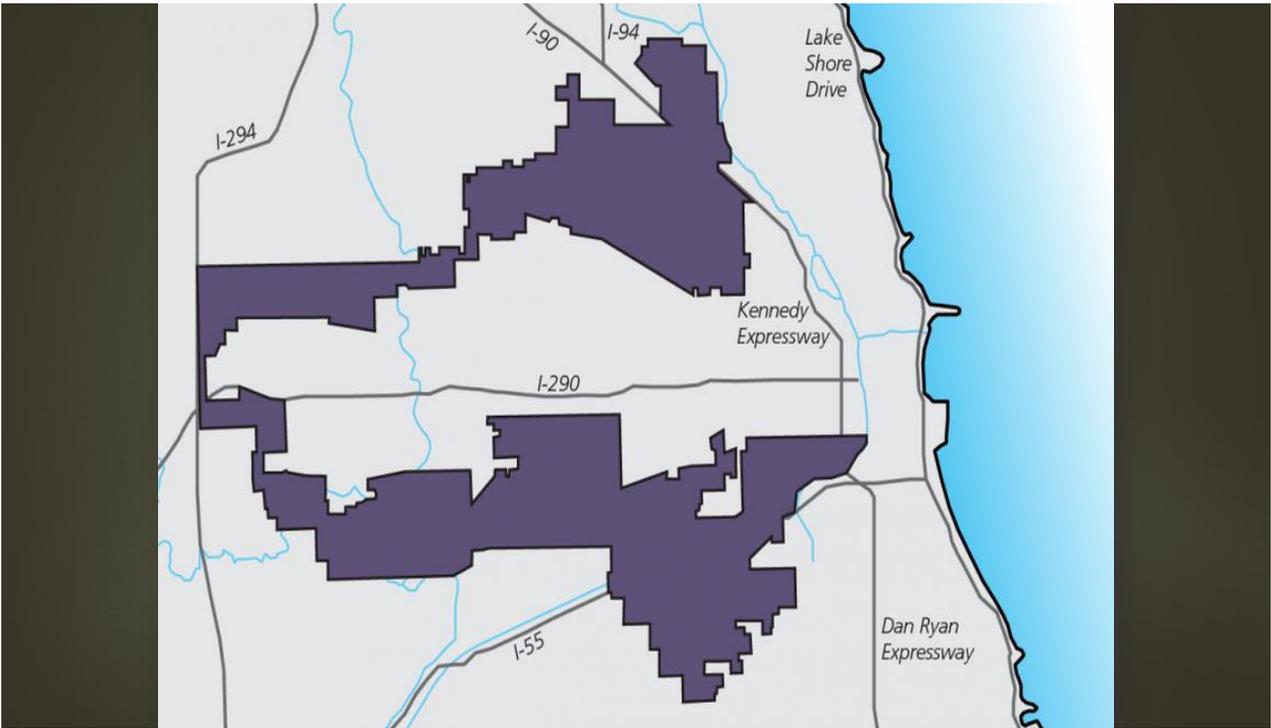
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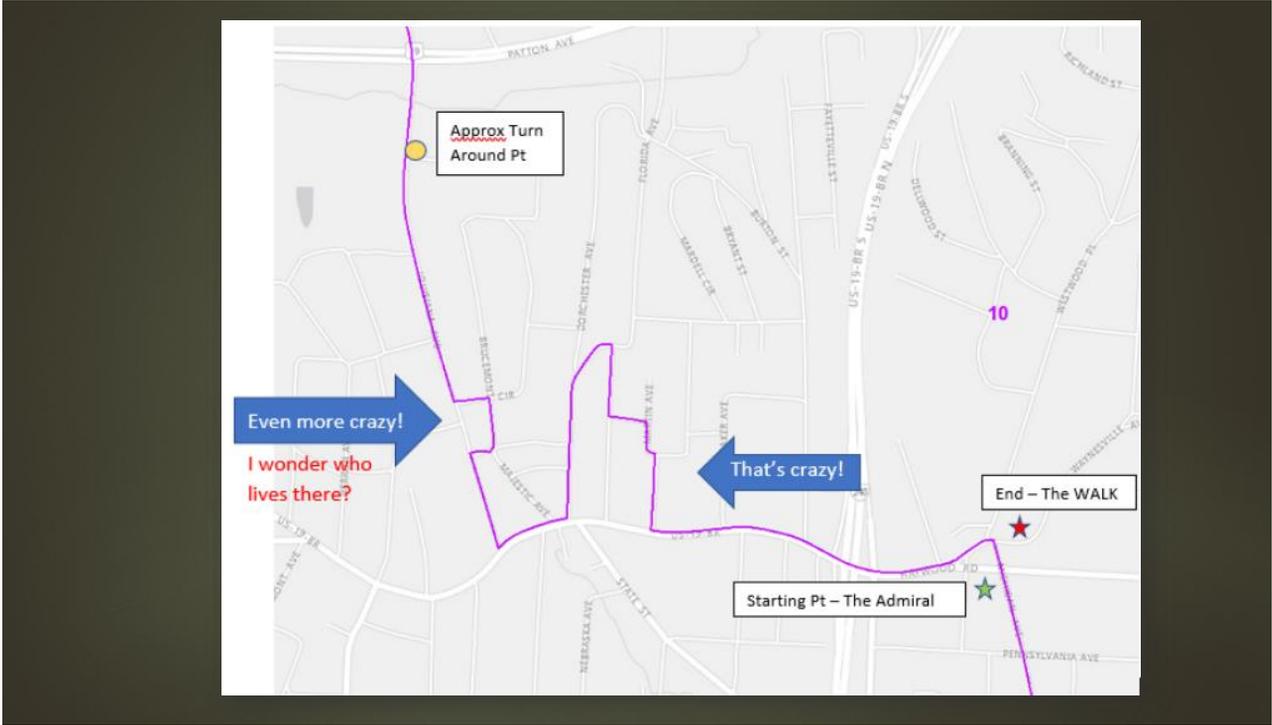
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Mapmaker, A Board Game About Gerrymandering And How Terrible It Is



Luke Plunkett

Wednesday 7:00pm • Filed to: BOARD GAMES



8.5K



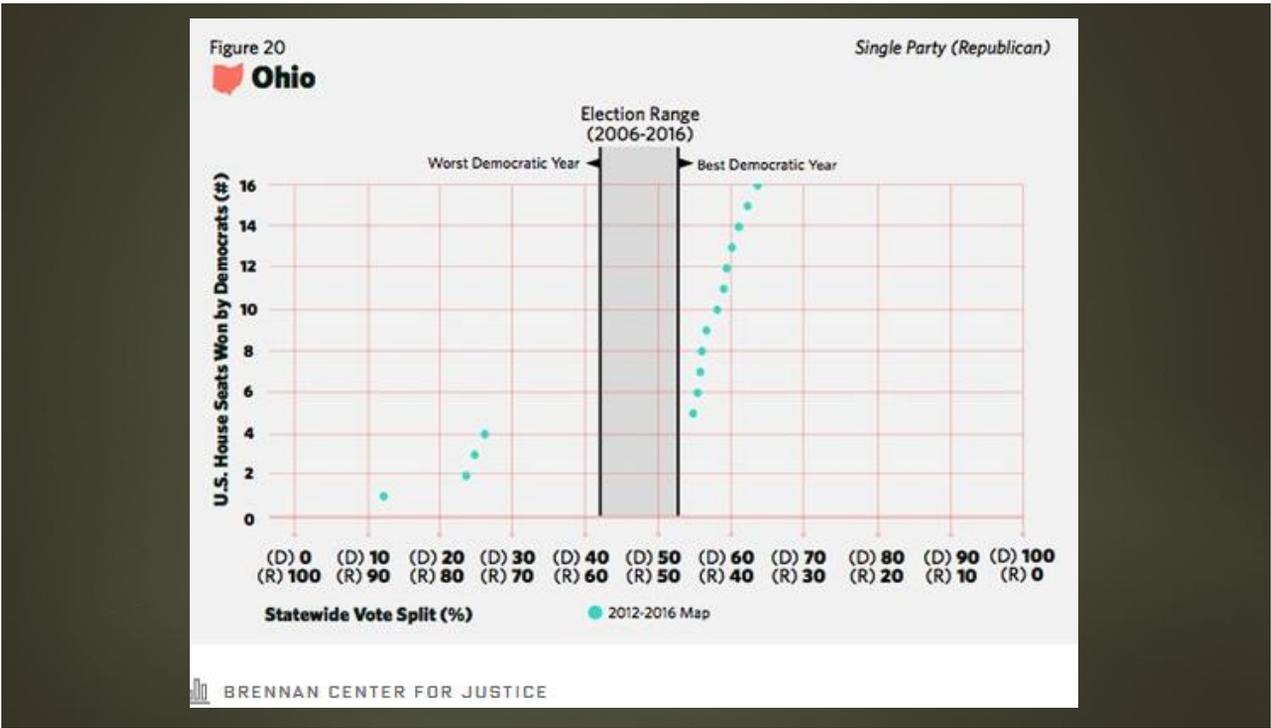
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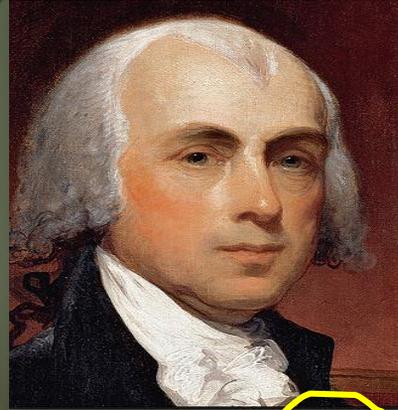


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Partisan Gerrymandering



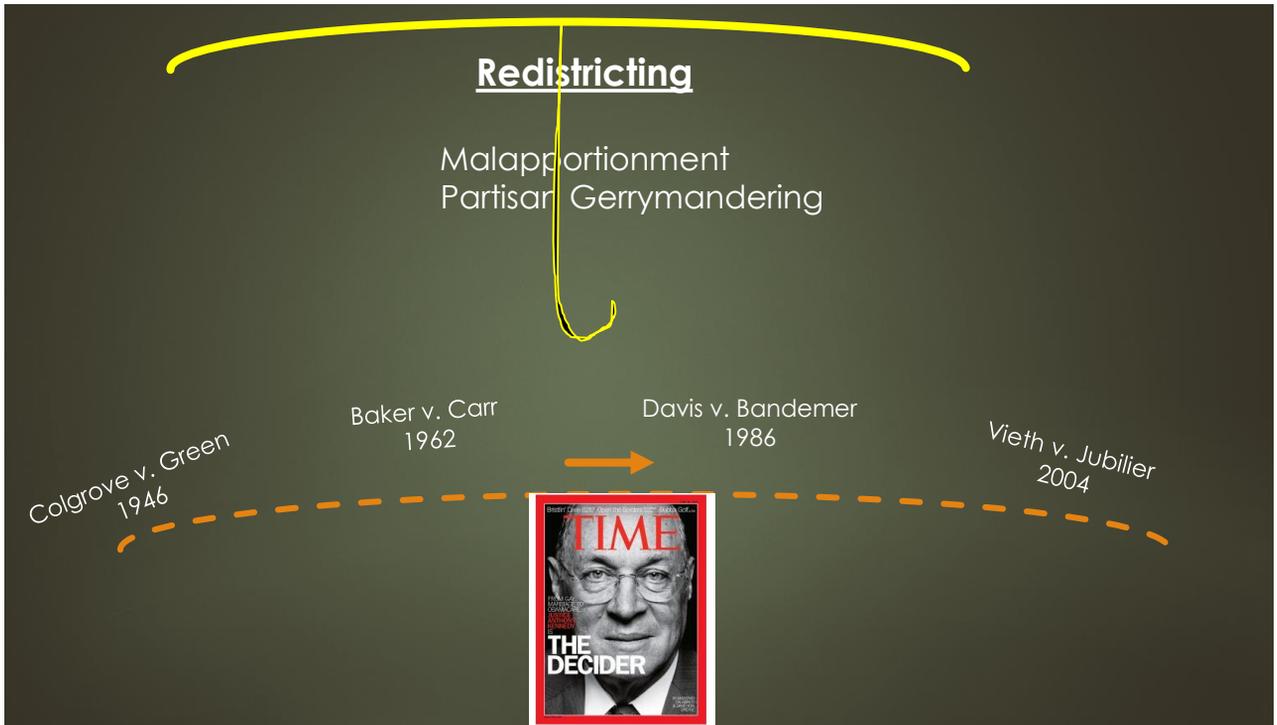
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Elbridge Gerry



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Partisan Gerrymandering

Establishment of Religion

When determining who is a “reasonable person” for purposes of the endorsement test, “[t]he relevant issue is whether an objective observer, acquainted with the text, legislative history, and implementation of the statute, would perceive it as a state endorsement” of religion.

Obscenity

(1) whether ‘the average person, applying contemporary community standards’ would find that the work, ‘taken as a whole,’ appeals to ‘prurient interest’ (2) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law, and (3) whether the work, ‘taken as a whole,’ lacks serious literary, artistic, political, or scientific value.

Miller v. California

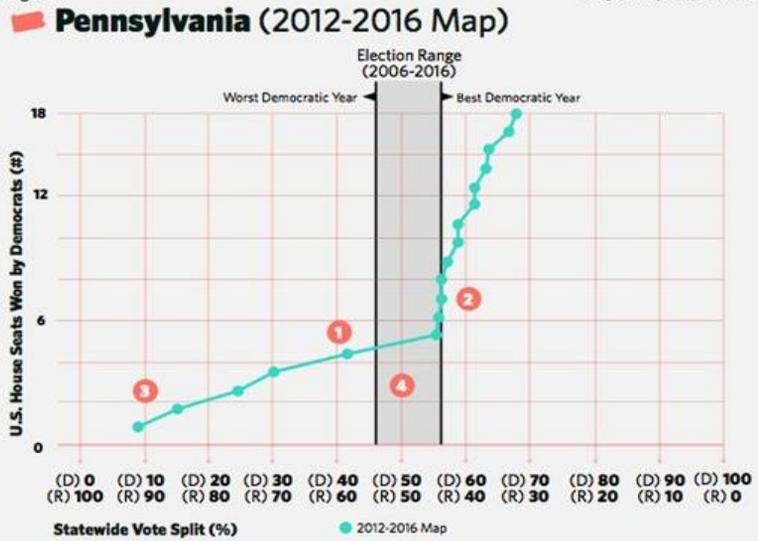
Due Process

Whether the government action “shocks the conscience”

Rochin v. California

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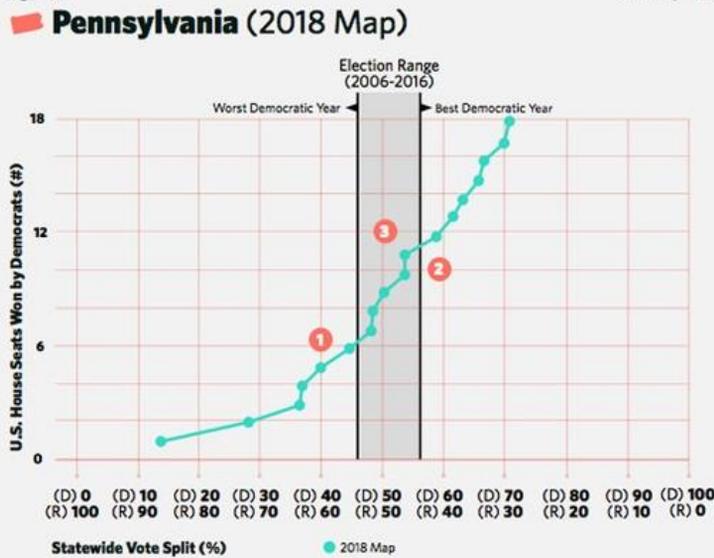
Figure 4 Single Party (Republican)



- 1 The aggressive Republican gerrymander in this map visibly distributes districts to maximize seats for Republicans.
- 2 The clustering of Republican districts in a near vertical line suggests a strategic spreading out of Republican voters to earn narrow but consistent victories for Republicans in those districts.
- 3 Democratic districts are much more heavily Democratic than Republican districts are Republican, suggesting packing of Democrats so that they win fewer seats.
- 4 At a 50-50 vote split that has been typical in Pennsylvania between 2006 and 2016, Republicans were expected to comfortably win 13 of 18 seats. Seats only began to come in play when Democrats matched their best electoral vote split from 2006.

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Figure 5 Court Imposed



- 1 Under the 2018 court-drawn map that replaced the 2012-2016 plan, each party is expected to steadily gain seats as its statewide vote share increases. This holds true despite the significant concentration of Democratic voters in densely populated Philadelphia, demonstrating that political geography does not preclude responsive districting.
- 2 Up to five districts could be won by either party given electoral vote splits in Pennsylvania between 2006 and 2016.
- 3 At a 50-50 vote split, Democrats are expected to win 8-9 of 18 seats.

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